

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RICHARD ANTHONY PASKOSKY,
Plaintiff,

v.

**CAROLYN W. COLVIN, ACTING
COMMISSIONER OF SOCIAL
SECURITY,**
Defendant.

Civil Action No. 13-918
Electronically Filed

ORDER

AND NOW, this 11th day of March, 2014, IT IS HEREBY ORDERED that the Plaintiff's Motion for Summary Judgment (*ECF No. 10*) is **GRANTED IN PART AND DENIED IN PART**, and that the Defendant's Motion for Summary Judgment (*ECF No. 12*) is **GRANTED IN PART AND DENIED IN PART**. With respect to the claim for disability insurance benefits brought under Title II of the Social Security Act [42 U.S.C. §§ 401-433], the Plaintiff's Motion for Summary Judgment is **DENIED** and the Defendant's Motion for Summary Judgment is **GRANTED**. With respect to the claim for supplemental security income benefits brought under Title XVI of the Social Security Act [42 U.S.C. §§ 1381-1383f], the Defendant's Motion for Summary Judgment is **DENIED**, and the Plaintiff's Motion for Summary Judgment is **DENIED** to the extent that it requests an award of benefits but **GRANTED** insofar as it seeks a vacation of the decision of the Commissioner of Social Security, and a remand for further administrative proceedings. The Commissioner's decision denying the Plaintiff's application for disability insurance benefits is **AFFIRMED**. The Commissioner's decision denying the Plaintiff's application for supplemental security income benefits is **VACATED**. With respect to

the Plaintiff's application for supplemental security income benefits, the case is **REMANDED** for further consideration of that application.

s/Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties